



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gross et al

Serial No: 09/932,210

Filed: August 17, 2001

For: *Optical Probes and Methods for Spectral Analysis*

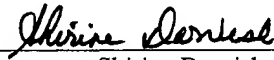
Examiner: Evans, F.

Art Unit: 2877

Attorney Docket No. TXY-008.01

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 31, 2003.


Shirine Darvish

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97 (c)(2)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § § 1.56 and 1.97(c), the Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. A copy of each publication is being submitted herewith.

Applicants have listed dates of publication on the attached PTO-1449 for the cited documents based on information presently available to the undersigned. However, the listed

11/05/2003 TBESHAH1 00000059 09932210

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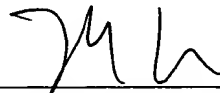
publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449. This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." Further, if the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Moreover, the Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Although we believe that we have provided for the fee due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our **Deposit Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Respectfully Submitted,



Theresa C. Kavanaugh
Reg. No. 50,356
Agent for Applicants

Date: October 31, 2003
Customer No: 25181
Patent Group
Foley Hoag LLP
155 Seaport Boulevard
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Form PTO-1449

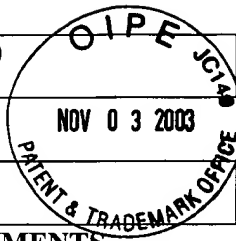
**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

Docket Number (Optional)
 TXY-008.01 (22254-801)

Applicant
 Gross et al.

Filing Date
 August 17, 2001

Application Number
 09/932,210

Group Art Unit
 2877

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	FA	5,013,150	05/07/91	Watts et al.		
	FB	5,077,481	12/03/91	Hoult		
	FC	5,418,615	05/23/95	Doyle		
	FD	5,652,810	07/29/97	Tipton et al.		
	FE	6,424,416	07/23/02	Gross et al.		

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS
(Including Author, Title, Date, Pertinent Pages Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.